

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

In re BLACKROCK MUTUAL FUNDS
ADVISORY FEE LITIGATION

Civil No. 3:14-cv-01165-FLW - TJB

**STIPULATION AND [PROPOSED] ORDER
REGARDING PROSPECTIVE DAMAGE CLAIMS AND ADDING
AN ADDITIONAL PLAINTIFF**

WHEREAS, on February 21, 2014, plaintiffs Owen Clancy and Jack Hornstein filed a complaint (the "Initial Action") against defendants BlackRock Investment Management, LLC, BlackRock Advisors, LLC, and BlackRock International Limited (together, "Defendants" or "BlackRock");

WHEREAS, the Court entered an order of consolidation in this action on May 6, 2014 (the "Consolidation Order") directing that all actions related to the Initial Action that are filed in this District shall be consolidated for all purposes before this Court (the "Consolidated Action");

WHEREAS, in accordance with the Consolidation Order, Plaintiffs filed a Consolidated Complaint in this Court on May 27, 2014 in Civil Action No. 3:14-CV-01165-FLW-TJB (the "Consolidated Action");

WHEREAS, Defendants filed their answer on June 26, 2014, along with a motion to dismiss the Consolidated Complaint pursuant to FED. R. CIV. P. 12 (c) ("MTD");

WHEREAS, by Order dated March 25, 2015, the Court denied Defendants' MTD;

WHEREAS, on February 24, 2015, Plaintiffs filed a complaint (the "New Complaint") against Defendants in a new action in this Court, Civil Action No. 3:15-CV-01403-FLW-TJB (the "New Action"), based on substantially the same facts alleged in the Consolidated Complaint;

WHEREAS, as indicated on the Civil Cover Sheet, plaintiffs filed the New Complaint as a Related Case to the Consolidated Action (together the "Related Actions");

WHEREAS, Defendants' time to answer the New Complaint as extended has not expired;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the parties in the Related Actions through their undersigned counsel and subject to the Court's approval, as follows:

1. Pursuant to paragraph 4 of the Consolidation Order, the New Action shall be and hereby is consolidated with the Consolidated Action for all purposes.

2. Defendants shall not be required to answer, move against, or otherwise respond to, the New Complaint, and the Consolidated Complaint shall remain the operative complaint in the Consolidated Action.

3. Cindy Tarchis shall be and hereby is added as an additional Plaintiff to the Consolidated Complaint.

4. Plaintiffs shall not, and shall not be required to, file an amended Consolidated Complaint for the purpose of joining Cindy Tarchis as an additional named plaintiff in the Consolidated Action or for the purpose of pleading damages allegedly incurred after February 21, 2014, the date of filing of the Initial Action.

5. Plaintiffs may seek: (a) discovery from Defendants regarding advisory fees received by Defendants from the BlackRock Global Allocation Fund and the BlackRock Equity Dividend Fund after February 21, 2014, and (b) an award of damages, including interest, from one year prior to the commencement of the Initial Action through the date of trial, as set forth in the Prayer for Relief in the Consolidated Complaint.

6. Plaintiff may file a supplemental pleading 60 days before trial regarding all damages claimed through the date of trial, and Defendants may plead to the supplemental pleading 30 days before trial.

Dated: June 15, 2015

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IT IS SO ORDERED.

Dated: June 16, 2015



HONORABLE. FREDA L. WOLFSON
United States District Judge